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Counsels for Defendants

IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

BARTSCHI, et al.,

Plaintiff(s),

v.

STATE OF UTAH, et al.,

Defendant(s).

**NOTICE OF REMOVAL TO
FEDERAL COURT**

Case No. 2:23-cv-00334-DBB

Judge: David Barlow

Pursuant to 28 U.S.C. §§ 1441(a), 1443 and 1446, Defendant State of Utah through Utah Department of Corrections, Brian Nielson, Utah Adult Probation and Parole, and Dan Blanchard, through counsel Darin B. Goff and Heather J. Chesnut, Assistant Utah Attorneys General, hereby give NOTICE

OF REMOVAL of the civil action pending against them in the Third Judicial District for Salt Lake County, State of Utah, entitled *Bartschi, et al. v. State of Utah, et al.*, Case No. 230903105 to this Court. The grounds for removal are:

1. This action was commenced by the filing of a Complaint, in the Third District Court in and for Salt Lake County, State of Utah.
2. Defendants received a copy of the Complaint on or about May 1, 2023.
3. Plaintiff's Complaint contains a cause of action against Defendant for an alleged violations of federal civil rights under 42 U.S.C. § 1983.
4. Based on Plaintiff's allegations of violations of civil rights, this Court has original jurisdiction of the above-entitled action pursuant 28 U.S.C. §1331, and this action may be removed to this Court pursuant to 28 U.S.C. §1441(a).
5. Removal of this action is timely. Fewer than thirty days have elapsed since the Defendants received a copy of the Complaint. The Complaint was the pleading from which it was first ascertained that the case is one that has become removable. *See* 28 U.S.C. §1446(b).
6. Pursuant to 28 U.S.C. §1446 (a), a copy of all process and

pleadings that have been received by the Defendants are attached hereto as Exhibit A.

7. All named Defendants have been contacted and consent to removal.

8. WHEREFORE, the Defendants submit this Notice that the above-entitled matter is hereby removed from the Third Judicial District Court in and for Salt Lake County, State of Utah, in accordance with the provisions of 28 U.S.C. § 1446.

DATED: May 24, 2023

OFFICE OF THE UTAH
ATTORNEY GENERAL

/s/ Darin B. Goff
DARIN B. GOFF
HEATHER J. CHESNUT
Assistant Utah Attorney General
Counsel for Defendants

CERTIFICATE OF MAILING

I certify that on May 24, 2023, I electronically filed the foregoing **NOTICE OF REMOVAL TO FEDERAL COURT** on the following by electronically file it with the Court:

Robert B. Sykes
SYKES MCALLISTER LAW OFFICES, PLLC
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/s/ Sheri D. Bintz